

REMARKS

Claims 1-3, 5 and 8-31 are pending in this application. Claims 16-20 were withdrawn by the Examiner as a result of an Election of Species Request, but should be rejoined and allowed when claim 1 is allowed (MPEP 821.04). By this Amendment, claims 1, 8 and 16 are amended, and claim 7 is canceled without prejudice to or disclaimer of the subject matter recited therein. Specifically, claim 1 is amended to incorporate the subject matter of claim 7, and claims 8 and 16 are amended to depend from claim 1. No new matter is added.

Entry of the amendments is proper under 37 CFR §1.116 since the amendments: (a) place the application in condition for allowance for the reasons discussed herein; (b) do not raise any new issue requiring further search and/or consideration as the amendment to claim 1 incorporates the subject matter of a claim that has already been examined; and (c) place the application in better form for appeal, should an appeal be necessary. The amendments are necessary and were not earlier presented because they are made in response to arguments raised in the final rejection. Entry of the amendments is thus respectfully requested.

I. Allowable Subject Matter

The Office Action indicates that claims 8-11 and 31 contain allowable subject matter and would be allowable if rewritten in independent form including all of the features of the base claim and any intervening claims. Applicants appreciate this indication of allowability and submit that all pending claims are allowable for the reasons discussed below.

II. 35 U.S.C. §103(a) Rejections of Claims 1-3, 7, 15 and 24-26

The Office Action (1) rejects claims 1-3, 7, 15 and 24-26 under 35 U.S.C. §103(a) over Schroeder et al. (Schroeder), U.S. Patent No. 5,327,856, in view of Suzuki et al. (Suzuki), U.S. Patent No. 6,739,299; and (2) rejects claims 1-3, 7, 15 and 24-26 under 35 U.S.C. §103(a) over Blish et al. (Blish), U.S. Patent No. 5,331,931, in view of Suzuki. The

rejections of canceled claim 7 are moot. The rejections of claims 1-3, 15 and 24-26 are respectfully traversed.

The combinations of Schroeder/Suzuki and Blish/Suzuki fail to disclose or suggest a torque fluctuation suppressing mechanism that includes a rotation member that is provided in a motion transmitting path extending from the electric motor to the cam, and that the torque fluctuation suppressing mechanism applies a reaction torque to the rotation member so that the reaction torque cancels the fluctuation of a torque which is applied to the cam, as previously recited in claim 7 and as now recited in claim 1.

The Office Action acknowledges that each of Schroeder and Blish fails to disclose a torque fluctuation suppressing mechanism. However, the Office Action asserts that Suzuki discloses a torque fluctuation suppressing mechanism. Suzuki discloses suppressing vibrations during cranking of the engine by controlling the operation of an electric motor that cranks an engine 10 based on a detected rotational phase of the crankshaft (Abstract). The resulting output torque of the motor fluctuates similar to fluctuations in resistance torque against the cranking of the engine 10 that the crankshaft presents in accordance with the rotational phase thereof (Abstract). That is, Suzuki merely discloses utilizing an electronic vehicle operation control unit to reduce cranking-caused vibration (Fig. 3; Abstract, col. 1, lines 13-15). Suzuki, however, does not disclose or suggest a torque fluctuation suppressing mechanism structure that includes the claimed rotation member. Thus, Suzuki fails to disclose or suggest a torque fluctuation suppressing mechanism that includes a rotation member that is provided in a motion transmitting path extending from the electric motor to the cam, and that the torque fluctuation suppressing mechanism applies a reaction torque to the rotation member so that the reaction torque cancels the fluctuation of a torque which is applied to the cam, as now recited in claim 1.

Therefore, it would not have been obvious to one skilled in the art to use the teachings of Suzuki in combination with the disclosures of either Schroeder or Blish to obtain the combination of features recited in claim 1. Thus, claim 1 is patentable over the above combinations of references.

Because claims 2, 3, 15 and 24-26 incorporate the features of claim 1, these claims are also patentable over the above combinations of references. Thus, it is respectfully requested that the rejections be withdrawn.

III. 35 U.S.C. §103(a) Rejections of Claims 5, 12-14, 21-23 and 27-30

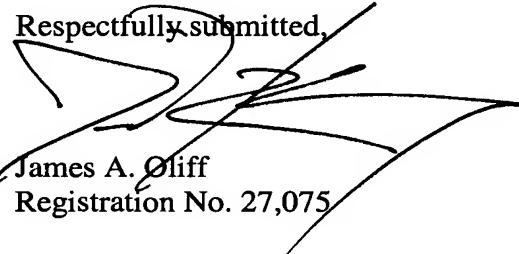
The Office Action (3) rejects claim 12 under 35 U.S.C. §103(a) over Schroeder in view of Suzuki, and further in view of Akeda et al. (Akeda), JP A 08-021326; (4) rejects claims 21-23 under 35 U.S.C. §103(a) over Schroeder in view of Suzuki, and further in view of Fulks et al. (Fulks), U.S. Patent No. 6,324,845; (5) rejects claims 27-30 under 35 U.S.C. §103(a) over Schroeder in view of Suzuki, and further in view of Ota et al. (Ota), JP A 2002-276364; (6) rejects claim 5 under 35 U.S.C. §103(a) over Schroeder in view of Suzuki, and further in view of Shimizu et al. (Shimizu), U.S. Patent No. 6,425,357; (7) rejects claim 13 under 35 U.S.C. §103(a) over Schroeder in view of Suzuki, and further in view of Anderson et al. (Anderson), U.S. Patent No. 6,473,964; and (8) rejects claim 14 under 35 U.S.C. §103(a) over Schroeder in view of Suzuki, and further in view of Hirakawa et al. (Hirakawa), WO 85/00864. The rejections are respectfully traversed.

None of the above references overcomes the deficiencies of Schroeder, Blish or Suzuki with respect to claim 1. Thus, because claims 5, 12-14, 21-23 and 27-30 incorporate the features of claim 1, these claims also are patentable over the above references. Therefore, it is respectfully requested that the rejections be withdrawn.

IV. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of all pending claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,

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